

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 73460

Gary Kosoy
6607 Dickfield Road
Baltimore MD 21209

6945 Blanche Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on May 26, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-6-105, 35-6-112: Respondent has not obtained a rental housing license for rental property known as 6945 Blanche Road, 21215.

On May 5, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Kathleen O'Donnell issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Gary Kosoy, Respondent and Kathleen O'Donnell, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 2, 2010 requiring application by April 2, 2010. This Citation was issued on May 5, 2010.

B. Gary Kosoy testified that his tenants are vacating the property in two or three weeks and he plans to put the property up for sale instead of renting it. He further testified that he is working on getting it ready for certification so it will qualify for a Rental Housing License.

C. Baltimore County law requires landlords to obtain a valid Rental Housing License before a residential property may be rented. BCC Section 35-6-105. Respondent has violated this requirement. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violation is corrected within the time provided below, either by obtaining the required license or by having the property vacant.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent corrects the violation by July 28, 2010 either by obtaining a valid rental housing license or by removing the tenants. After that date, rental without the required license may result in additional Citations with civil penalty.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 1st day of June 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf